

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

1. (currently amended) A ~~fireplace assembly~~ heating appliance, comprising:
a combustion chamber enclosure having a front panel and defining a combustion chamber;

an outer enclosure having a front panel and defining an inner volume sized to receive the combustion chamber enclosure at a position wherein the front panel of the combustion chamber is spaced rearward of and arranged substantially parallel with the front panel of the outer enclosure;

an access panel ~~positioned~~ extending in a direction substantially perpendicular to the front panel of the combustion chamber enclosure between the front panel of the combustion chamber enclosure and the front panel of the outer enclosure; and

fireplace controls disposed within the inner volume of the outer enclosure outside of the combustion chamber enclosure.

2. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 1, further comprising a combustion air enclosure positioned in the inner volume of the outer enclosure between the combustion chamber enclosure and the outer enclosure and configured to provide combustion air to the combustion chamber through an aperture formed at any location in a side panel or a rear panel of the combustion chamber enclosure.

3. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 2, wherein combustion chamber enclosure includes at least top, bottom, rear, and first and second side panels, and the combustion air enclosure extends around substantially all of an outer surface of at least two panels of the combustion chamber enclosure.

4. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 2, wherein the combustion chamber enclosure includes top and bottom panels and a side panel extending between the top and bottom panels, and the combustion air enclosure extends around substantially all of the side panel of the combustion chamber enclosure.

5. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 2, wherein the ~~fireplace~~ controls are disposed within the inner volume of the outer enclosure outside of the combustion air enclosure.

6. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 1, wherein the ~~fireplace controls include a gas valve assembly and a control unit assembly~~ outer enclosure and the combustion chamber enclosure each include a bottom panel, and the bottom panel of the combustion chamber enclosure is arranged substantially coplanar with a hearth member that extends in front of the heating appliance.

7. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 1, further comprising a glass panel positioned between the access panel and a front surface of the combustion chamber enclosure.

8. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 1, wherein the access panel includes first and second side panels members aligned substantially coplanar with side surfaces of the combustion chamber enclosure, and a bottom ~~panel member~~ aligned substantially coplanar with a bottom surface of the combustion chamber enclosure.

9. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 1, wherein the combustion chamber enclosure and the access panel include a matching brick pattern.

10. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 6, wherein the glass panel is retained to the combustion chamber enclosure with a spring biased member that permits movement of the glass panel away from the combustion chamber in response to high combustion forces within the combustion chamber.

11. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 1, wherein the ~~fireplace~~ controls are positioned between a side surface of the combustion chamber enclosure and the outer enclosure.

12. (currently amended) The ~~fireplace assembly~~ heating appliance of claim 1, further comprising a light source configured to direct light into the combustion chamber.

13. (currently amended) The ~~fireplace~~ heating appliance of claim 1, wherein the ~~side panel combustion chamber enclosure~~ includes first and second side ~~portions~~ panels and a rear ~~portion panel~~, each of the rear and first and second side panels including a planar portion, and the intersection of the side and rear ~~portions~~ panels includes a contoured surface to provide the appearance that the combustion chamber enclosure has substantially no back corners.

14. (currently amended) The ~~fireplace~~ heating appliance of claim 13, wherein the contoured surface includes an overlapping structure that provides a ledge structure.

15. (currently amended) The ~~fireplace~~ heating appliance of claim 1, wherein the combustion chamber enclosure is formed using compression or injection molding or vacuum forming.

16. (currently amended) The ~~fireplace~~ heating appliance of claim 8, the side panel of the combustion chamber enclosure includes air passage apertures formed therein to promote airflow between the combustion air chamber and the combustion chamber.

17. (currently amended) A method of manufacturing a ~~fireplace~~ heating appliance that includes an outer enclosure having a rear panel and a front panel that defines a front surface of the ~~fireplace~~ heating appliance, a combustion chamber enclosure having top, bottom and side panels defining a combustion chamber and a front surface of the combustion chamber enclosure, a combustion air enclosure, a glass panel, and controls, the method comprising the steps of:

positioning the combustion chamber enclosure within the outer enclosure between the front and rear panels such that the front surface of the combustion chamber enclosure is spaced rearward from the front panel of the outer enclosure;

coupling the glass panel to the front surface of the combustion chamber enclosure;

positioning the controls between the outer enclosure and one of the side panels of the combustion chamber enclosure; and

positioning the combustion air enclosure between the outer enclosure and the combustion chamber enclosure thereby forming a combustion air chamber.

18. (original) The method of claim 17, further comprising forming an aperture in the combustion chamber enclosure between the combustion chamber and the air passage.

19. (currently amended) The method of claim 17, wherein the ~~fireplace~~ heating appliance further includes a removable panel, and the method further comprises positioning the removable panel between the front panel of the outer enclosure and the front surface of the combustion chamber enclosure and aligned in a direction substantially perpendicular to the front panel and vertically oriented along a side of the front panel.

20. (currently amended) The method of claim 19, wherein the removable panel substantially covers substantially all exposed a metal frame of the glass panel from view, ~~combustion air enclosure, and combustion chamber enclosure.~~

21. (currently amended) The method of claim 19, further comprising forming a pattern in the ~~side~~ panel that substantially matches a pattern formed in the combustion chamber enclosure.

22. (currently amended) The method of claim 17, further comprising ~~controlling generation of heat within the combustion chamber with the controls~~ surrounding the substantially all of the rear and side panels of the combustion chamber enclosure with the combustion air enclosure, wherein a aperture formed through any one of the rear and side panels of the combustion chamber provides a combustion air opening into the combustion chamber from the combustion air enclosure.

23. (currently amended) The method of claim 17, wherein the side panel of the combustion chamber enclosure extends along first and second side and rear portions of the combustion chamber enclosure, the method further comprising forming the side panel of the combustion chamber enclosure such that each of the side and rear portions of the side panel includes a planar portion and the intersection of the side and rear portions of the side panel are contoured to provide an appearance that the combustion chamber has substantially no back corners.

24. (original) The method of claim 17, further comprising forming a portion of the combustion chamber enclosure from a molded material.

25. (currently amended) The method of claim 24, wherein the forming step includes compression molding, injection molding, or vacuum forming the ~~continuous panel~~ combustion chamber using a ceramic fiber and a binder or a moldable ceramic.

26. (currently amended) The method of claim 17, further comprising ~~forming~~ molding a brick design in the combustion chamber enclosure.

27. (currently amended) The method of claim 26, wherein the side panel includes an intersecting first side panel and a back panel, the method comprising forming a contoured surface in the brick design at an intersection of the first side and back panels, wherein the contoured surface includes an overlapping brick arrangement that provides a shelf feature.

28. (currently amended) The method of claim 17, wherein the step of positioning the combustion air enclosure includes surrounding substantially an entire outer surface of at least two of the side panels and a rear panel of the combustion chamber enclosure ~~panels~~ with the combustion air enclosure.

29. (currently amended) A ~~fireplace~~ heating appliance, comprising:
a combustion chamber enclosure including top, ~~and bottom, rear, and first and second~~
side nonviewing panels and a side panel positioned between the top and bottom panels, the

panels defining a combustion chamber and a front surface of the combustion chamber enclosure through which the combustion chamber is viewable;

a combustion air enclosure at least partially extending around ~~substantially an entire~~ outer surface of the rear and first and second side panels of the combustion chamber enclosure thereby defining a combustion air chamber between the combustion chamber enclosure and the combustion air enclosure;

whereby a hole formed through any panel of the rear and first and second side panels of the combustion chamber enclosure provides an inlet for combustion air to enter the combustion chamber from the combustion air chamber.

30. (currently amended) The fireplace heating appliance of claim 29, wherein the combustion air enclosure is configured to be secured and sealed to the combustion chamber enclosure at the front surface.

31. (currently amended) The fireplace heating appliance of claim 29, wherein the combustion chamber enclosure includes a plurality of combustion air apertures formed in at least one of the bottom, rear, and side panels.

32. (currently amended) The fireplace heating appliance of claim 29, further comprising a glass transparent panel having a glass transparent sheet and a frame extending around the glass transparent sheet, and the glass transparent panel is secured to the front surface of the combustion chamber.

33. (currently amended) The fireplace heating appliance of claim 32, wherein ~~the a~~ mounting portion of the combustion air enclosure is positioned between the glass transparent panel and the front surface of the combustion chamber enclosure, and the fireplace heating appliance further comprises a gasket positioned between the glass transparent panel frame and the combustion air enclosure.

34. (currently amended) The ~~fireplace~~ heating appliance of claim 29, wherein the combustion chamber enclosure and the combustion air enclosure are secured together with an airtight seal.

35. (currently amended) The ~~fireplace~~ heating appliance of claim 29, wherein the combustion chamber enclosure is molded as a single piece.

36. (currently amended) The ~~fireplace~~ heating appliance of claim 29, wherein the rear and first and second side panels of the combustion air enclosure are formed as a single piece from a single piece of material.

37. (currently amended) The ~~fireplace~~ heating appliance of claim 29 32, further comprising ~~an aperture formed in any panel of the combustion chamber enclosure, wherein the aperture provides an air intake opening between the combustion chamber and the combustion air chamber~~ a decorative panel oriented substantially perpendicular to a plane of the transparent panel and positioned to substantially cover the transparent panel frame from view.

38. (currently amended) A method of assembling a ~~fireplace~~ heating appliance that includes a combustion chamber enclosure defining a combustion chamber, a combustion air enclosure, and a glass panel, the method including the steps of:

positioning the combustion chamber enclosure inside the combustion air enclosure; and

securing the glass panel to the combustion chamber enclosure with the combustion air enclosure positioned there between thereby sealing the ~~fireplace~~ heating appliance with an airtight seal in a single step.

39. (currently amended) A ~~fireplace~~ heating appliance, comprising:

an outer enclosure having a front panel defining a front of the ~~fireplace~~ heating appliance;

a combustion chamber enclosure defining a combustion chamber and including a front surface, the combustion chamber enclosure being positioned within the outer enclosure at a location spaced rearward from the front panel of the outer enclosure;

a glass panel including a glass frame and a glass sheet mounted in the glass frame and configured to be secured to the front surface of the combustion chamber enclosure; and

a surround member adapted and configured to be positioned between the front panel of the outer enclosure and the glass panel to cover the glass frame from view.

40. (currently amended) The ~~fireplace~~ heating appliance of claim 39, wherein the surround includes first and second side panels that are independently adjustable and removable to gain access to a space between an interior of the outer enclosure and an outer surface of the combustion chamber enclosure.

41. (currently amended) The ~~fireplace~~ heating appliance of claim 39, wherein the surround further includes a top panel and a bottom panel that each extend between the first and second side panels.

42. (currently amended) The ~~fireplace~~ heating appliance of claim 39, wherein the ~~fireplace heating appliance~~ further includes a control unit and a valve positioned between the outer enclosure and the combustion chamber enclosure.

43. (currently amended) The ~~fireplace~~ heating appliance of claim 39, wherein the outer enclosure includes a bottom panel having a plurality of ~~hole~~ holes formed therein to provide airflow openings between an area beneath the outer enclosure and a portion of an interior space of the outer enclosure.

44. (new) A direct vent fireplace, comprising:
an outer enclosure;

a combustion chamber enclosure at least partially enclosing a combustion chamber;

a combustion air enclosure positioned between the outer enclosure and a side and a rear panel of the combustion chamber enclosure through which no viewing of the combustion chamber is provided, the combustion air enclosure and the combustion chamber enclosure defining an air insulative space between the combustion chamber and the outer enclosure;

a burner positioned to produce a flame in the combustion chamber;

a gas valve coupled to the gas burner to provide fuel for producing the flame.

45. (new) The fireplace of claim 44, further comprising a room air passageway positioned between the outer enclosure and the combustion chamber enclosure.

46. (new) The fireplace of claim 44, wherein the combustion air enclosure partially surrounds at least one side panel and the rear panel of the combustion chamber enclosure.

47. (new) The fireplace of claim 44, wherein the air insulative space provides air to the combustion chamber for combustion of the fuel.

48. (new) The fireplace of claim 44, wherein the combustion chamber enclosure defines an opening that is in fluid communication with the air insulative space and provides air to the combustion chamber.

49. (new) The fireplace of claim 44, further comprising an exhaust outlet formed in the combustion chamber enclosure and in fluid communication with the combustion chamber.

50. (new) The fireplace of claim 44, wherein the combustion chamber enclosure includes a front panel, and the combustion air enclosure is coupled to the combustion chamber enclosure at the front panel.

51. (new) A fireplace assembly, comprising:
a combustion chamber enclosure defining a combustion chamber, the combustion chamber enclosure including first and second side panels and a rear panel, and the intersection of the side and rear panels includes a contoured surface to provide the appearance that the combustion chamber enclosure has substantially no back corners, the contoured surface including an overlapping structure that provides a ledge structure;

an outer enclosure having a front panel and defining an inner volume sized to receive the combustion chamber enclosure at a position spaced rearward of the front panel;

an access panel positioned between the combustion chamber enclosure and the front panel of the outer enclosure; and

fireplace controls disposed within the inner volume of the outer enclosure outside of the combustion chamber enclosure.